

**United States Bankruptcy Court
for the District of Oregon**

Frank R. Alley, III, Judge
Barbara D. Ivey, Judicial Assistant
Lee D. Brice, Law Clerk



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January 6, 2006

Gail Geiger
Office of the US Trustee
211 E 7th Ave #285
Eugene, OR 97401

Richard Norland
130 F St
Springfield, Or 97477

RE: Adversary Case No. 04-6281-fra US TRUSTEE, EUGENE vs. RICHARD NORLAND

Dear Mr. Norland and Ms. Geiger:

The court has thoroughly reviewed Mr. Norland's post-hearing motion (docket #135, filed November 23, 2005) and the government's response. I do not believe that oral argument is either required or appropriate in this matter. For the reasons set out in this letter I will enter an order denying the motion.

I: Judicial Notice

The matters alleged in the opening section of the motion ("Motion For Judicial Notice of New Evidence") are not matters generally known within the territorial jurisdiction of this court or capable of accurate and ready determination by resort to extrinsic sources. See Federal Rule of Evidence 201. The court declines to take judicial notice of the matters alleged.

II: Relief From Judgment

The court has previously held that a default judgment should be entered against Mr. Norland. Mr. Norland now asks for relief from that judgment on the grounds of alleged misconduct by the U.S. Trustee or her deputy. Accepting, purely for the sake of argument, the factual allegations contained in the motion, none present grounds for reviewing the courts previous determination. As Mr. Norland has been repeatedly reminded, the issue here is his conduct, and not the conduct of others. Mr. Norland presents no evidence or argument to suggest

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that the court has thus far erred in its determination that the judgment and injunction should be entered.

An order denying the relief has been entered contemporaneously with this letter.

Very truly yours,

A handwritten signature in black ink, appearing to read "F. Alley", with a stylized flourish at the end.

FRANK R. ALLEY, III
Bankruptcy Judge

FRA:jlw